

SCHEDULE

Section 5.

REGULATIONS RELATING TO REGISTRATION OF SMALL SHIPS

- 1 In this Schedule—
 - " registered " and " registration " mean registered under section 5 of this Act or, as the case may be, registration under that section;
 - " regulations " means regulations made under that section ; and
 - " specified " means specified in regulations.
- 2 Regulations may make provision—
 - (a) for the persons by whom and the manner in which applications in connection with registration are to be made (including provision limiting the persons who may apply for registration, whether by reference to residence or place of business or otherwise);
 - (b) for the information and evidence to be provided in connection with such applications and for such supplementary information or evidence as may be required by any authority specified for the purpose to be so provided ;
 - (c) for the issue of certificates of registration, their production and surrender;
 - (d) for the marking of registered ships ;
 - (e) for the period for which any registration is to remain effective without renewal;
 - (f) for the refusal of registration where the name of the ship proposed to be registered appears to any authority specified for the purpose to be undesirable ;
 - (g) for the termination of registration in specified circumstances (including failure to comply with requirements imposed by or under regulations and circumstances in which any of the requirements applicable to new registrations imposed by or under section 5 of this Act are no longer met) ;
 - (h) for matters arising out of the expiration or termination of registration (including the removal of marks and the cancellation of certificates);
 - (i) for the inspection of ships registered or to be registered ;
 - (j) for the payment of fees in connection with registration or registered ships, being fees determined with the approval of the Treasury;
 - (k) for the discharge of functions under the regulations by persons appointed by such organisations as may be authorised in that behalf by the Secretary of State ;
 - (l) excluding from registration specified classes or descriptions of ships ; and
 - (m) for any other matters relating to the maintenance of a register of small ships (including its inspection)
- 3 (1) Regulations may provide for the creation of offences and their punishment on summary conviction in any of the following cases—
 - (a) where a person with intent to deceive uses, or lends to or allows to be used by another, a certificate of registration which has ceased to have effect;
 - (b) where a person for purposes of registration makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular;
 - (c) where a person required by regulations to ensure that any requirement of the regulations as to the marking of a ship is met fails to ensure that that requirement is met;

Status: This is the original version (as it was originally enacted).

- (d) where a person required by regulations to surrender a certificate of registration fails without reasonable excuse to surrender the certificate.
- (2) Regulations providing for the creation of an offence by virtue of sub-paragraph (1) (c) above shall provide that it shall be a defence for a person charged with the offence to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (3) Regulations providing for the creation of an offence by virtue of sub-paragraph (1) (a) or (b) above shall provide for it to be punishable—
 - (a) in England and Wales and Scotland, with a fine not exceeding level 5 on the standard scale (which has the meaning given by section 75 of the Criminal Justice Act 1982);
 - (b) in Northern Ireland, with a fine not exceeding £1,000.
- (4) Regulations providing for the creation of an offence by virtue of sub-paragraph (1) (c) or (d) above shall provide for it to be punishable—
 - (a) in England and Wales and Scotland, with a fine not exceeding level 3 on the standard scale (which has the meaning given by section 75 of the Criminal Justice Act 1982) ;
 - (b) in Northern Ireland, with a fine not exceeding £200.
- 4 (1) Regulations may make different provision for different classes or descriptions of ships and for different circumstances.
- (2) Regulations may contain such supplemental and incidental provisions as appear to the Secretary of State to be necessary or expedient.
- 5 Regulations may provide for their operation within territorial waters adjacent to the United Kingdom.
- 6 No provision of this Schedule is to be taken to prejudice the generality of section 5 of this Act.